

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                     |   |                          |
|---------------------|---|--------------------------|
| -----               | X |                          |
| IRINA MANTA,        | : | ECF CASE                 |
|                     | : |                          |
| Plaintiff,          | : | Civil Action No.: _____  |
|                     | : |                          |
| -against-           | : | <b>NOTICE OF REMOVAL</b> |
|                     | : |                          |
| HOFSTRA UNIVERSITY, | : |                          |
|                     | : |                          |
| Defendant.          | : |                          |
| -----               | X |                          |

**TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO PLAINTIFF AND  
HER ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that Defendant Hofstra University (“Hofstra,” or “Defendant”) by its attorneys and pursuant to 28 U.S.C. §§ 1331 and 1441, hereby files this Notice of Removal with respect to the case identified as *Manta v. Hofstra University*, Index No. 156172/2021 (the “State Court Action”), from the Supreme Court of the State of New York, New York County. In support of this Notice of Removal, Defendant states as follows:

**Service and Parties**

1. On or about June 29, 2021, Plaintiff Irina Manta (“Plaintiff”) commenced an action by the filing of a Summons and Complaint (“Complaint”) in the Supreme Court of the State of New York, New York County, naming Hofstra as a defendant. Hofstra was served with a copy of the Complaint on July 7, 2021.

2. Pursuant to 28 U.S.C. § 1447(b), the Complaint constitutes “all records and proceedings” in the State Court Action. A true and correct copy of the foregoing document is attached to this Notice as “Exhibit A.”

**Timeliness of Removal**

3. On July 7, 2021, a copy of the Complaint was served on Hofstra.

4. Because Hofstra filed this Notice of Removal within 30 days of service, this Notice of Removal is timely under 28 U.S.C. § 1446(b).

**Basis for Removal**

5. The basis for removal is federal question jurisdiction in that Plaintiff's Complaint includes a claim within the original jurisdiction of this Court under 28 U.S.C. § 1331. *See* 28 U.S.C. § 1331 (“[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States”). In her Complaint, Plaintiff alleges “Hofstra has for years failed to pay her in a non-discriminatory manner in comparison to her male peers,” and “retaliated against [her] for opposing its discriminatory practices.” She further alleges that “[b]y its conduct, Hofstra has violated...the federal Equal Pay Act (“EPA”), 29 U.S.C. § 206(d).” *Id.*

6. Accordingly, this case is a civil action founded on a claim or right arising under the laws of the United States over which this Court has original jurisdiction. *See Legrá v. Bd. of Educ.*, No. 14-cv-9245 (JGK), 2016 U.S. Dist. LEXIS 144817, at \*1 (S.D.N.Y. Oct. 19, 2016) (noting “[t]he Court has subject matter jurisdiction under 28 U.S.C. § 1331 over the federal law claims,” including the Equal Pay Act). It is therefore one which may be removed from the Supreme Court of New York, County of New York pursuant to 28 U.S.C. § 1441(b).

7. Defendant will file written notice of the filing of this Notice of Removal, together with a copy of the Notice of Removal, with the Clerk of the Supreme Court of the State of New York, New York County, to effect removal of this action to this Court pursuant to 28 U.S.C. § 1446(d).

8. Defendant reserves all defenses.

WHEREFORE, Defendant respectfully requests that the above-referenced civil action proceed in the United States District Court for the Southern District of New York as an action properly removed thereto.

Dated: New York, New York  
July 26, 2021

SEYFARTH SHAW LLP

By: /s/ Dov Kesselman

Dov Kesselman  
dkesselman@seyfarth.com  
Anne Dana  
adana@seyfarth.com

620 Eighth Avenue  
New York, New York 10018  
Telephone: (212) 218-5500  
Facsimile: (212) 218-5526

*Attorneys for Defendant*  
*HOFSTRA UNIVERSITY*